

AMENDMENT(S) TO THE DRAWINGS

Please amend Fig. 1 as indicated in red on the attached Annotated Sheet. A Replacement Sheet presenting replacement figures which incorporate the desired changes is also enclosed in the Submitted Drawings section of this amendment.

REMARKS

Claims 1 and 2 are pending and rejected in this application. Claim 1 is amended hereby.

Responsive to the Examiner's notation that a reference was not properly listed on an Information Disclosure Statement, Applicant is submitting an Information Disclosure Statement contemporaneously with this amendment.

Responsive to the objection to the drawings, Applicant has amended Fig. 1 and has corrected the drawing to properly notate and identify the envelope circles 38. Accordingly, Applicant submits that the drawings are now in allowable form, and do hereby respectfully request the withdrawal of the objection thereto.

The Abstract has been objected to because reference numeral 38 was not provided in the drawings. The drawing corrections discussed in the preceding paragraph have addressed this issue. Accordingly, Applicant submits that the Abstract is now in allowable form and respectfully requests that the objection be withdrawn.

Responsive to the rejection to the specification, regarding the paragraph containing the phrase "apparatus 18 [sic; 10]" has been amended to read "apparatus 10", as suggested by the Examiner. Accordingly, Applicant submits that the specification is now in allowable form, and respectfully requests the withdrawal of the objection thereto.

Responsive to the objection to claim 1, Applicant has amended claim 1 striking the word 'particularly' and inserting the word 'comprising' and has also addressed the other informalities pointed out by the Examiner. Accordingly, Applicant submits that claim 1 is now in allowable form, and do hereby respectfully request the withdrawal of the objections thereto.

Responsive to the rejection of claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. US2001/0003237 (Wolters et al.), Applicant has amended claim 1 and submits that claims 1 and 2 are now in condition for allowance.

Wolters et al. disclose a row-insensitive gathering device for an agricultural header (Figs. 5-7) including a crop harvesting machine 12 fitted with a feeding and picking device 10. Feeding and picking device 10 includes an upper feeding element 14, a lower feeding element 16, a rotary cutting knife 28, a first snapping roll 18, a second snapping roll 20, and a snapping channel 26 formed by snapping bars 24 (paragraph 40). Stalk chopper 28 is positioned to interact with only one picking gap 26 associated with each picking device 10 (Figs. 5-7).

In contrast claim 1 as amended, recites in part:

... an envelope circle (38) described by the knife (36) of the stalk chopper spans at least two adjacent picking gaps (24) and at least the drawing-in devices (26) of two adjacent drawing-in and picking units (18).

(Emphasis added). Applicant submits that such an invention is neither taught, disclosed nor suggested by Wolters et al. or any of the other cited references alone or in combination and includes distinct advantages thereover.

Wolters et al. disclose a stalk chopper assigned to each picking gap and is positioned so as to cut the stalk in the direction in which the stalk is being pulled into the picking gap. In contrast Applicant's invention includes a stalk chopper that advantageously spans at least two adjacent picking gaps. Wolters et al. describes each picking unit 10 as associating a chopper with each row. Therefore, Wolters et al. and any of the other cited references, alone or in combination, fail to disclose, teach or suggest an envelope circle described by the knife of the stalk chopper spanning at least two adjacent picking gaps and at least the drawing-in devices of two adjacent drawing-in and picking units, as recited in claim 1.

The present invention advantageously allows an arrangement and positioning of drawing-in and picking units such that they are spaced apart by relatively long distance or by relatively short distance while simultaneously preventing stalk choppers from colliding with one another. This further precludes the need to have stalk choppers that are synchronized with each other. The

present invention also allows lateral adjustment of the picking unit over a considerable difference in row spacing. For the foregoing reasons, Applicant submits that claim 1, and claim 2 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

For the foregoing reasons, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and allowance of the claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,

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SUBMITTED DRAWINGS

Drawings that are being submitted include Replacement Sheets, New Sheets and Annotated Sheets, as indicated on the pages that follow.

2. The harvesting apparatus (10) according to Claim 1, characterized by the fact that the drawing-in and picking units (18) are supported in a laterally displaceable fashion on a crossmember (16), on which the stalk chopper (32) is also supported.

Fig. 1

